

## **REMARKS**

### **The Amendments**

Claim 1 is amended in accordance with the disclosure at paragraph [0024], pages 8-11, of the instant specification. The other claims are amended to conform to this amendment.

To the extent that the amendments avoid the prior art or for other reasons related to patentability, competitors are warned that the amendments are not intended to and do not limit the scope of equivalents which may be asserted on subject matter outside the literal scope of any patented claims but not anticipated or rendered obvious by the prior art or otherwise unpatentable to applicants. Applicants reserve the right to file one or more continuing and/or divisional applications directed to any subject matter disclosed in the application which has been canceled by any of the above amendments.

### **The Rejection under 35 U.S.C. §112, second paragraph**

The rejection of claims 1 and 4 under 35 U.S.C. §112, second paragraph, is respectfully traversed.

Regarding claim 1, the term "light" as used in the instant claims is not a relative term. From the disclosure and the context of the claim, i.e., "light absorbing," it is wholly evident that the term is not the relative term light, as opposed to heavy. It obviously pertains to the definite term light, such as sunlight or ambient room light. This would be quite clear to one of ordinary skill in the pigments art.

Regarding claim 4, there is clear antecedent basis in claim 1 for the objected to substrate language. Claim 4 depends on claim 2, which depends on claim 1. Thus, the language of both claims 1 and 2 is incorporated into claim 4 and clear antecedent basis for the substrate term is provided.

Accordingly, the rejection under 35 U.S.C. §112, second paragraph, should be withdrawn.

**The Rejection under 35 U.S.C. §102 over GB 1,116,257**

The rejection of claims 1-3, 5, 7, 10, 14, 20-21 and 24 under 35 U.S.C. §102, as being anticipated by GB 1,116,257 is respectfully traversed.

GB '257 discloses nacreous pigments having a metal sulfide layer. The only metal sulfide layers disclosed are single metal sulfides, e.g., ZnS. See page 3, lines 23-54.

GB '257 fails to disclose a pearlescent pigment having a light absorbing layer of an oxychalcogenide, a doped metal sulfide, a sulfide of two or more metals, a selenide or a sulfoselenide. Accordingly, GB '257 does not anticipate any of the instant claims and the rejection under 35 U.S.C. §102 should be withdrawn.

**The Rejection under 35 U.S.C. §102 over Schmid**

The rejection of claims 1-5, 9-20 and 25-27 under 35 U.S.C. §102, as being anticipated by Schmid (U.S. Patent No. 5,401,306) is respectfully traversed.

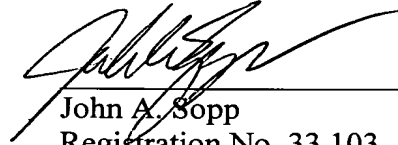
Schmid discloses luster pigments having a metal sulfide layer. The only metal sulfide layers disclosed are single metal sulfides and the mixed metal sulfide of MoS<sub>2</sub>/WS<sub>2</sub>. See, e.g., page 3, lines 23-54.

Schmid fails to disclose a pearlescent pigment having a light absorbing layer of an oxychalcogenide, a doped metal sulfide, a sulfide of two or more metals which is one of the ones listed in applicants' claims, a selenide or a sulfoselenide. Accordingly, Schmid does not anticipate any of the instant claims and the rejection under 35 U.S.C. §102 should be withdrawn.

It is submitted that the claims are in condition for allowance. However, the Examiner is kindly invited to contact the undersigned to discuss any unresolved matters.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Sopp", is written over a horizontal line.

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